

Hill, David

From: Porter, Katherine

Sent: Tuesday, June 6, 2023 5:01 PM

To: 'Johnie Patterson' <jjp@walkerandpatterson.com>

Cc: Lombardi, Nicholas <nlombardi@akingump.com>; Cooksey, Amelia <acooksey@akingump.com>; Chasin, Daniel <DChasin@akingump.com>; Mouhot, Dara <dmouhot@akingump.com>

Subject: RE: In re Jones - ESG Discovery

Johnie,

Thank you for sending a courtesy copy of your witness and exhibit list. We plan to file our witness and exhibit list on or before the deadline for such lists for emergency motions tomorrow and will send you a courtesy copy as well.

In addition, we see that Joey Dalessio is listed as your witness for Thursday's hearing on your *Emergency Motion for Protection by Elevated Solutions Group, LLC* [ECF No. 313]. To that end, please see attached a notice of deposition of Mr. Dalessio related to the Emergency Motion and his testimony at the Thursday hearing. We have set the deposition to commence at 10 AM Central, but are happy to discuss starting earlier or later tomorrow if such timing would be better for you and Mr. Dalessio.

Lastly, I'll repeat my request to meet and confer and ask that you name times that work for you.

Best,

Katherine Porter

Akin

Direct: [+1 212.872.7467](tel:+1212.872.7467) | Internal: [37467](tel:37467)

From: Johnie Patterson <jjp@walkerandpatterson.com>

Sent: Tuesday, June 6, 2023 12:11 PM

To: Porter, Katherine <kporter@akingump.com>

Cc: Lombardi, Nicholas <nlombardi@akingump.com>; Cooksey, Amelia <ACooksey@akingump.com>; Chasin, Daniel <DChasin@akingump.com>; Mouhot, Dara <dmouhot@akingump.com>

Subject: Re: In re Jones - ESG Discovery

I have attached a copy of our W&E List with copies of the exhibits.

Jp

Johnie Patterson
Walker & Patterson, P.C.
P.O. Box 61301
Houston, TX 77208
713.956.5577
713.956.5570 fax

On Mon, Jun 5, 2023 at 8:10 PM Porter, Katherine <kporter@akingump.com> wrote:

Johnie,

Thanks for sending a copy of your motion. It is unfortunate that you ignored my multiple prior attempts to speak with you and refused to meet and confer prior to filing your motion. Your motion reflects a misunderstanding of the Committee's document requests in several respects. Nevertheless, we remain willing to meet and confer with you in advance of the hearing on Thursday if you name some times that you are available. Among other issues, your motion seems to assume that the Committee does not intend to seek a deposition of your client. That assumption is not correct; we do intend to take a deposition. If you identify a few dates that work for you and your client on or before July 14, we will do our best to coordinate schedules around dates that work for you.

Please let me know (i) times that you can meet and confer, and (ii) some potential deposition dates.

Thanks,

Katherine Porter

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From: Johnie Patterson <jjp@walkerandpatterson.com>

Sent: Monday, June 5, 2023 1:28 PM

To: Porter, Katherine <kporter@akingump.com>

Cc: Lombardi, Nicholas <nlombardi@akingump.com>; Cooksey, Amelia <ACooksey@akingump.com>; Chasin, Daniel <DChasin@akingump.com>; Mouhot, Dara <dmouhot@akingump.com>

Subject: Re: In re Jones - ESG Discovery

Want to make sure you received this. It was filed Friday.

Jp

Johnie Patterson

Walker & Patterson, P.C.

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On Tue, May 30, 2023 at 3:54 PM Porter, Katherine <kporter@akingump.com> wrote:

Hi Johnie,

Following up on the emails below. Could you let me know when you are available to discuss ESG's responses to the Committee's discovery? I am back in the office and generally available this week.

Thanks,

Katherine Porter

Akin

Direct: [+1 212.872.7467](tel:+1212.872.7467) | Internal: [37467](tel:37467)

From: Porter, Katherine <kporter@akingump.com>

Sent: Friday, May 19, 2023 1:20 PM

To: Johnie Patterson <jjp@walkerandpatterson.com>

Cc: Lombardi, Nicholas <nlombardi@akingump.com>; Cooksey, Amelia <ACooksey@akingump.com>; Chasin, Daniel <DChasin@akingump.com>; Mouhot, Dara <dmouhot@akingump.com>

Subject: Re: In re Jones - ESG Discovery

I believe the requests are appropriate but, once again, I am happy to discuss them with you. At this point, no specific disputes have been crystallized so it seems premature to bring anything to the court.

That is why I am offering to speak, so that we can identify and ideally narrow any actual disputes.

The only concrete dispute you raised was that the requests related to the rejection motion should only request documents concerning the contracts identified in that motion. I did not insist on that point and said fine - you could limit your production responding to the first requests served under Rule 7034 to those two contracts.

We also began to discuss bank account records but did not finish that conversation because you made it clear that I had to serve a new set of requests under Rule 2004.

Could you name some times that you are available to speak?

Katherine Porter

Akin

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On May 19, 2023, at 12:56 PM, Johnie Patterson <jjp@walkerandpatterson.com> wrote:

Yeah, I'm pretty sure it is. You're free to withdraw your outstanding subpoenas if you believe they may be inappropriate based on our discussion.

On Fri, May 19, 2023, 11:35 AM Porter, Katherine <kporter@akingump.com> wrote:

That is not what happened. I did not instruct you what you were going to do.

If you want to discuss the requests, as I said, I will make myself available.

Katherine Porter

Akin

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On May 19, 2023, at 12:33 PM, Johnie Patterson
<jjp@walkerandpatterson.com> wrote:

I thought that is what we did yesterday when you instructed me what I was going to do.

On Fri, May 19, 2023, 11:26 AM Porter, Katherine <kporter@akingump.com> wrote:

Johnie - please let me know when you are available to meet and confer about our requests. I was surprised to hear you say you would be making a motion, given that when we spoke we discussed you providing responses and objections as the next step. I don't believe any dispute is crystallized or ready for the court's attention until you tell us your position on each of our requests and we have a chance to discuss them. I'm am traveling this upcoming week but will do my best to accommodate your schedule so that we can discuss these and crystallize any disputes promptly.

Best,

Katherine

Katherine Porter

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On May 18, 2023, at 5:29 PM, Lombardi, Nicholas
<nlombardi@akingump.com> wrote:

Johnie,

As discussed during our call on Tuesday, attached is the *Notice of the Official Committee of Unsecured Creditors' Bankruptcy Rule 2004 Examination of Elevated Solutions Group LLC*. Thank you for agreeing to accept service on behalf of ESG.

Nicholas R Lombardi

Akin

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From: Chasin, Daniel <DChasin@akingump.com>
Sent: Tuesday, May 16, 2023 11:28 AM
To: Johnie Patterson <jjp@walkerandpatterson.com>
Cc: Porter, Katherine <kporter@akingump.com>; Lombardi, Nicholas <nlombardi@akingump.com>; Cooksey, Amelia <ACooksey@akingump.com>; Mouhot, Dara <dmouhot@akingump.com>
Subject: RE: In re Jones - ESG Discovery

Johnie,

As discussed, attached are discovery requests to Elevated Solutions Group, LLC under Rule 2004, which we will file on the docket. We have set the response deadline thirty days out, as discussed.

In the meantime, we understand that you will gather documents related to the two contracts identified in the rejection motion, send responses and objections as needed, and produce responsive documents.

Thanks.

Danny

Daniel Chasin

Akin

Direct: [+1 212.872.8169](tel:+1212.872.8169) | Internal: [38169](tel:+1212.872.8169)
Pronouns: he/him/his ([What's this?](#))

From: Johnie Patterson <jjp@walkerandpatterson.com>
Sent: Monday, May 15, 2023 8:36 PM

To: Porter, Katherine <kporter@akingump.com>
Cc: Chasin, Daniel <DChasin@akingump.com>; Cooksey, Amelia
<ACooksey@akingump.com>; Lombardi, Nicholas
<nlombardi@akingump.com>; Mouhot, Dara
<dmouhot@akingump.com>
Subject: Re: In re Jones - ESG Discovery

That should work. I'll let you know if my hearing runs long.

On Mon, May 15, 2023, 7:35 PM Porter, Katherine
<kporter@akingump.com> wrote:

How is 11:30 Eastern tomorrow?

Katherine Porter

Akin

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From: Johnie Patterson <jjp@walkerandpatterson.com>
Sent: Monday, May 15, 2023 5:19 PM
To: Porter, Katherine <kporter@akingump.com>
Cc: Chasin, Daniel <DChasin@akingump.com>; Cooksey, Amelia
<ACooksey@akingump.com>; Lombardi, Nicholas
<nlombardi@akingump.com>; Mouhot, Dara
<dmouhot@akingump.com>
Subject: Re: In re Jones - ESG Discovery

****EXTERNAL Email****

Anytime. I've got a hearing at 9:00 in the morning that should last about 45 minutes.

Jp

Johnie Patterson

Walker & Patterson, P.C.

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Houston, TX 77208

713.956.5577

713.956.5570 fax

On Sun, May 14, 2023 at 8:47 AM Porter, Katherine
<kporter@akingump.com> wrote:

Johnie, can we discuss our requests this week?

Katherine Porter

Akin

Direct: [+1 212.872.7467](tel:+12128727467) | Internal: [37467](#)

From: Porter, Katherine

Sent: Wednesday, May 10, 2023 4:38 PM

To: 'jjp@walkerandpatterson.com'

<jjp@walkerandpatterson.com>

Cc: Chasin, Daniel <DChasin@akingump.com>; Cooksey,

Amelia <acooksey@akingump.com>; Lombardi, Nicholas

<nlombardi@akingump.com>; Mouhot, Dara

<dmouhot@akingump.com>

Subject: In re Jones - ESG Discovery

Johnie,

Nice to meet you by phone. Our requests are attached. Once you've had a chance to review, let's find a time to discuss please.

Thanks,

Katherine Porter

Akin

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<AEJ 290 - UCC Notice of Rule 2004 Exam of ESG.pdf>

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